

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

In re:

LAWRENCE P. HANDY,

Movant.

No. 07-1358
(D.C. No. 94-cv-01028-WYD)

ORDER
Filed November 1, 2007

Movant Lawrence P. Handy, a state prisoner, filed a motion in the district court that constituted an attempt to file a second or successive 28 U.S.C. § 2254 motion. Because Mr. Handy had not obtained authorization from this court in accordance with 28 U.S.C. § 2244(b)(3) before filing the motion, the district court transferred the motion to this court on August 27, 2007. *See Coleman v. United States*, 106 F.3d 339, 341 (10th Cir. 1997) (per curiam) (directing district courts to transfer unauthorized second or successive § 2254 motions to this court in the interest of justice pursuant to 28 U.S.C. § 1631).

On September 6, 2007, Mr. Handy was sent written notice by this court giving him thirty days to file a motion in this court for permission to file a second

or successive § 2254 motion. That deadline was later extended to October 25, 2007. To date, Mr. Handy has not filed the requested motion for permission.

Accordingly, the matter is DISMISSED.

Entered for the Court

A handwritten signature in black ink, reading "Elisabeth A. Shumaker", with a long horizontal flourish extending to the right.

ELISABETH A. SHUMAKER, Clerk